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# RESPONSIBILITY IN BROADCASTING

HARRY J. BOYLE\*

*The Broadcasting Act provides that Canadian broadcasters should promote national unity. Canadian broadcasting has failed to exclude hostile influences. TV should cater to a wide interest, through a great diversity of programmes, and let the public choose from the widest possible range of programme matter. Freedom of information can only exist if the new forms of communication are protected from undue commercial, paternalistic or authoritarian influences.*

The thorough garbling of Vice-Chairman Boyle's address when it was reported back to Canada ("Harry Boyle accuses TV men of arrogance, scorn," *Toronto Telegram*, December 30, 1969; "An amazing attack on broadcasters," *Toronto Daily Star*, January 3, 1970) is an amusing but ironic example of the lack of communication between Canadians that the Vice-Chairman decries. Canadian broadcasters in particular will benefit from an opportunity to examine Mr. Boyle's ideas as they were presented in their entirety since most of his thoughts are closely interrelated. The following comments are offered as supplementary footnotes to the Vice-Chairman's address, keyed to the basic ideas presented.

1. For the historical and political background to the passage of the *Broadcasting Act*, S.C. 1967-68, c.25. although primarily in the context of the role of the CBC, see E. A. Weir, *The Struggle for National Broadcasting in Canada*; F. W. Peers, *The Politics of Canadian Broadcasting, 1920-1951*; A. F. Toogood, *Broadcasting in Canada: Aspects of Regulation and Control*; the reports of the various Royal Commissions involved (Aird (1928), Massey (1949) and Fowler (1957) and the 1965 *Report of the Committee on Broadcasting* (the second Fowler report)). More recently, on the BBG experience with the Canadian content quota up to 1968, and for an introduction to the CRTC jurisdiction in the matter, see P. S. Grant, "The Regulation of Program Content in Canadian Television: An Introduction," (1968) 11 *Can. Public Administration*, 322-391.

2. The recent Commission revisions to the BBG's regulations on Canadian content in radio and television were announced in *CRTC Public Notice 1970-6*, February 12, 1970, discussed in hearings of the Commission reported in *CRTC Transcript of Hearing*, Ottawa, April 14-21, 1970, and promulgated (with little change save a lengthened time period for compliance) on May 22, 1970. The Commission decisions regarding cable television licensing policy were issued as follows: *Community Antenna Policy*, CRTC Announcement, May 13, 1969 [channel priorities, local programming, commercials, exclusivity, ownership]; *Vaughan, Markham Townships - Metro Cable TV, York Cablevision, Rogers Cable TV*, [1969] CRTC Decisions 235 (July 10) [boundaries multiplicity of voices, local ownership, recognition of existing efforts under DOT licence]; *CATV Microwave Policy*, CRTC Announcement, December 3, 1969 [east-west axis development, denial of wholesale importation of distant U.S. signals]; *CATV Licensing Policy*, [1970] CRTC Decisions 93 (April 10) [revision of channel priorities, allowance of one U.S. commercial station in certain circumstances, non-duplication rule, reiteration of east-west concept, encouragement of networking]. The cable television microwave policy was argued before the Commission in *CRTC Transcript of Hearing*, Vancouver, October 14-16, 1969, pp. 34-155, 156-271, and Ottawa, November

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\*Vice-Chairman *Canadian Radio-Television Commission* Ottawa, Canada.

25-27, 1969, Volume 1, pp. 68-88, 188-405. For parliamentary reaction see, in particular, Minutes of Proceedings and Evidence of the Standing Committee on Broadcasting, Films and Assistance to the Arts, May 5-6, 1970. The Commission's licensing policy on CATV is expected to be further discussed at its forthcoming hearings in October, 1970.

3. Mr. Boyle's comments on the need to give Canadians access to the media and his concern that the structure of the industry has prevented diversity and freedom of communication have been frequently reiterated in Commission hearings. See, generally, Hearing on "Air of Death," *CRTC Transcript of Hearing*, Toronto, March 18, 1968, pp. 1-659; Hearing on FM Policy, *CRTC Transcript of Hearing*, Montreal, June 10-11, 1969, pp. 2-388; and the hearing on the Canadian content proposals cited above. See also Minutes of Proceedings and Evidence, Broadcasting Committee, November 28, 1968, and the text of his recent address, "Towards a Better Understanding" delivered at the Canadian Cable Television Association Convention on May 13, 1970. Mr. Boyle's philosophical leanings, as evident in the present article, are strikingly visionary, romantic, highly moralistic, and firmly rooted in a profound individualism. The issues raised in his paper essentially revolve upon the conflicts inherent in trying to graft moral imperatives onto a market structure, and these conflicts have probably received more attention at Commission hearings and in the Canadian media in the last year than at any time before. Needless to say, the Boyle paper raises more questions than answers. For instance, is there a conflict between the aim of promoting national unity and that of promoting a diversity of ideas? Is a broadcaster who follows the direction "be yourself" being more or less "arrogant" than one who programs using economic criteria? To what extent are broadcasters who wish to initiate communication between Canadians obliged to concern themselves with the package rather than the substance in order to attract a sufficient audience to constitute a useful interaction appropriate to the medium? How do the paternalistic influences in the media today differ in kind from the paternalistic influences inherent in the closed societies when no mass media existed? Assuming such influences to be inevitable, when do they become undue? What constitutes the public interest in programming? Should programs invested with a public interest be paid for entirely by the revenues generated by the advertising of consumer products, with the cost of these products ultimately borne and paid for more dearly by the poor than by the rich? Or is a progressive system possible short of taxation? Is this a logical or reasonable justification for a reorientation of the role of CATV toward minority service underwritten by subscriptions?

4. The problem of keeping the Canadian Radio-Television Commission "alert and sensitive" to public needs and responses, referred to by Vice-Chairman Boyle, has been a continual concern of the Commission since its inception. It is a frequently voiced complaint that the "public" only rarely participates at Commission hearings, and that the only voices the Commission hears are those of the vested interests. Much of this is inherent in the kind of society we live in, but much is due to the procedures of the Commission inherited for the most part from the Board of Broadcast Governors. These procedures are of course undergoing substantial revision [see *CRTC Transcript of Hearing*, Toronto, February 10, 1970, pp. 1-37, *CRTC Public Notice*, 1970-1, January 10, 1970], but the inadequacies of the present practices probably constitute one of the Commission's more pressing challenges. In contrast to the FCC, few of the CRTC decisions have been adequately explained, none of its original studies or research has been published (although this is being gradually remedied), and the timing of its hearings has allowed very little opportunity, particularly so far as the public is concerned, for the preparation of detailed or reasoned comments on proposed policy. The public access to briefs filed with the Commission, although unrestricted in theory, is hampered in practice by the inaccessibility of the Ottawa office, the inadequacy of notice, and the unfamiliarity of the public with Commission procedure and the specifics of the policy issues involved. The restructuring of the hearing process and a revaluation of its purpose in the light of these problems will obviously be a major area of concern for the Commission in the next few years.

PETER GRANT

I will preface my paper by an introduction to a geographical abstraction called CANADA. I am a native of this entity. It is necessary for me to attempt an explanation of Canada and Canadians, for while Canada is a territory adjacent to the United States and Canadians have, in many ways, similar origins, I must make it perfectly clear that in my mind, and in the minds of most of my fellow citizens, we are not twins nor can our countries be considered as having similar identity.

There are 20 million people in my land in a land-space larger than that occupied by your over-200-million. We have migrated from frontiers and isolation to urban centres in much the same way as you have. We are conditioned by history, environment and intuitive desires. We strive to preserve qualities which we consider to be unique. In my country we have, however, an almost frightening phenomenon of environment called "the North."

Population-wise we pile up like iron filings north of the magnetic border which separates our countries; yet the empty space of the north is a factor in our lives from the moment we are conceived until we expire. When a political leader emphasized in his campaign a vision of the north, he received the biggest parliamentary majority in our political history. He touched a chord of our hearts and that chord resounds with a strange high note containing both pride and fear. The fear aspect is evident in the reactions of our people to what was considered the passivity of our leaders, when America, furthering its world-wide economic explorations, nosed the monstrous prototype oil tanker, the "Manhattan," in a search for a northwest passage to transport oil.

A distinguished Canadian, George Ferguson, now editor emeritus of *The Montreal Star*, feels that the barren lands and the north have a content which makes Canadians different from the people of other lands. He speaks in a positive sense and says that among the more developed countries perhaps only Russia and Australia share a similar mystique. For instance, in the Russian way of life, it may give that country a dynamism more important than its Communism, the dynamism of a still-existing frontier.

In the main, our people, and particularly our young people, acutely aware of being part of an environment conditioned by geography, also have something more important, our own definitions of fundamentals such as freedom, justice, etc. Included in this is our own rule of government and law which is very different from America's. It is a system of government which has been created and adapted to our needs and purposes and is unknown anywhere else in the world.

This development has been achieved largely through communications deliberately designed to safeguard and strengthen the cultural, political and economic fabric of Canada as we know it.

Now, let me introduce myself. I am a proxy holder for the public, a member of the Canadian Radio-Television Commission, appointed by His Excellency the Governor General in Council, responsible to Parliament to

act on behalf of the interest of Canadians as owners of the public broadcast frequencies of Canada. I am one of five members of the Executive Committee who act on a full-time basis. We are assisted by ten part-time commissioners, selected to represent regions of our geography and to act in association with us in administering a *Broadcasting Act*<sup>1</sup> enacted April 1, 1968. That *Broadcasting Act* evolved out of a deliberate policy of communications in Canada, whereas I have said Canada is a country which exists by reason of communications, and I repeat, deliberately set up to maintain an east-west flow through our land mass and to resist the normal north-south erosion. Today we have a problem: the aural cord of radio and the microwave band of television are threatened by proliferating cable systems which by the use of supplementary microwaves on a south-to-north basis within our own country will bring in a flood of foreign material and will take fatal bites out of the essential east-west jugular of our communicating existence. But a way will be found to solve this problem. A way will be found which will not be conceived in hostility toward America but will, we hope, contain within reasonable bounds the influx of American programming and influence. The whole thing is a challenge in effect, as each one of our communicating problems has been a challenge, to develop the vitality and energy within our own nation which will compete rather than live behind artificial restrictions. But there will be certain restrictions because all nations, including yourself, the most powerful nation, take measures to protect fundamentals when any facet of their nationhood is threatened.

The way will also be found by the recognition that communication technology is nothing more than a passive means of distribution. The way will also be found in responsibility. I am referring to the responsibility of those people, both public and private, who have the privilege of using public airways, to respond to the challenges of the largely undeveloped aural and visual aspects of our new civilization.

These responsibilities are contained in significant terms in the *Broadcasting Act* which was passed after a great deal of discussion by the Parliament of Canada, with only one dissenting voice. Surely this in itself is a recognition of the values that our legislators place on the preservation of our form of democracy and identity.

The *Broadcasting Act* states, among many other things, that:

- "2. (a) broadcasting undertakings in Canada make use of radio frequencies that are public property and such undertakings constitute a single system, herein referred to as the Canadian Broadcasting system, comprising public and private elements;
- "(b) the Canadian broadcasting system should be effectively owned and controlled by Canadians so as to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada;
- "(d) the programming provided by the Canadian broadcasting system should be varied and comprehensive and should provide reasonable, balanced

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<sup>1</sup> S.C. 1967-68, c. 25.

opportunity for the expression of differing views on matters of public concern, and the programming provided by each broadcaster should be of high standard, using predominantly Canadian creative and other resources;

“(e) all Canadians are entitled to broadcasting service in English and French as public funds become available.”

I must confess, in many places the *Broadcasting Act* is resisted. It's resisted primarily by those without any idea of what's truly meant by communications. It is resisted by those people who loudly cry “freedom of expression,” when what they really mean is freedom of opportunity. They demonstrate over and over again that they yearn for broadcasting to be controlled by “economic interests.” They protest and misrepresent the regulatory agency as a form of “state” control. If you were to follow their argument, who would really agree whether the tyranny of state control would be a greater menace than the tyranny of ratings? Hugh Carleton Greene of the British Broadcasting Corporation said: “Whether he likes it or not, the broadcaster, under any system, is always a public servant. In the last resort he operates by permission of the public, and there is no country in which the state does not retain certain sanctions. If the public feels it is abused by those servants, in the end the public may remove them and replace them by others. While the broadcaster is part of a totalitarian system, it may require a revolution to reject broadcasters and government together. In a democracy there are more peaceful, but equally effective, means of bringing about change.”

When I first approached the matter of this paper, I consulted with quite a number of people and must say that I was profoundly influenced to broaden the terms of responsibility to include the responsibility of the regulators as well as the broadcasters. Significantly enough, the main influence was brought to bear on me by a man who represents, in effect, historical continuity and conscience in the development of broadcast aspects of communication in Canada. His name is Graham Spry. He is a distinguished Canadian. Almost forty years ago when radio broadcasting was simply a device to sell radio sets in Canada, he was one of those people who saw it in its perspective, an instrument of information and education as well as entertainment. He and his associates worked in an unstinting way to bring about public-owned and private-owned sectors of broadcasting. He said to me, “Broadcasters and regulators of broadcasters have more power and, therefore, both bear more responsibility than any others who use, or control, instruments, or agencies, influencing the public mind and the flow of information which is the quintessence and condition of a functioning society.

“Without communication, there is no society, whether it be a hive of bees, a troop of Boy Scouts, a Bar Association, or a nation. Indeed the essence of a nation or wider unity of people is simply, if I may quote K. W. Deutsch, ‘a large communication net of human beings in possession of a state.’ There are many forms of communication but only broadcasting can instantaneously transmit information to a whole people or allow ‘nation to speak unto nation.’”

No broadcaster and no regulator of broadcasting can approach the subject of their obligations without humility, and indeed without fear.

As a proxy holder for the public, with humility and, indeed, with a certain degree of fear, I am concerned as to how broadcast undertakings can combat the available proportions of "mass." How can dignity be restored to the individual dwarfed into what appears insignificance by the commercial values constantly dictating mass attendance, mass conformity, mass participation? How can the qualitative replace the quantitative? How can it be used to prevent intellectual perversion, under the guise that only "mass" is important?

A Channel Islander can still secure a court action by kneeling in public, shouting three times in French, "Help me Prince, I am wrong," and reciting the Lord's Prayer. This ritual is known as the "cri de haro."

I feel that the public hearings of the Canadian Radio-Television Commission are the place where citizens are given the opportunity for "cri de haro." Unfortunately, too few come forward. They find it difficult to articulate but in their hearts they may desire to do so. They find it difficult to raise issues in communities where broadcasters very often use considerable of the present-day methods of public relations to obscure fundamentals with a patina of superficiality called "public service." Well-meaning officials are induced to give prodigious support to broadcasting organizations at the time of renewal for the sake of a few fund-raising announcements when in effect, what the community needs is access to the broadcast facility by citizens concerned about the basic problems. Many use facilities as silent monuments to this form of tokenism in place of community involvement; it is another example of the thing that works being exploited in place of probing for either what people want or need.

Donald Hyatt, American TV Director, said once that, "in order to meet the challenge and responsibility of being man's most powerful and wonderful communications tool, television must have the guts, the integrity and the conviction to lead."

The only argument standing in the way is: give the public what it wants, or thinks it wants. Nonsense! The public doesn't know what it wants, or thinks it wants, until it gets it.

"The genius of Albert Einstein was not brought to fruition as a result of a Madison Avenue house-to-house census: no market research analyst knocked on his door with a request that he kick around a little gimmick called the theory of relativity. And I don't recall that anyone asked Shakespeare to write Hamlet, or Henry Ford to make the Model T."

In today's world with an increasing dependence on aural and visual forms for culture and for understanding, Charles Siepmann has articulated a "cri de haro." It is related to the basic needs of our common humanity, "for the chance that nature offers each of us to become a human being, transcending the beast that lurks in each of us." Broadly defined these needs are as follows:

- "1) The need for relaxation. Laughter, amusement, even idle frivolity . . . are legitimate needs because they are psychological necessities.

- "2) The need for expansion of our horizons of knowledge and awareness of people . . . and their interaction with one another.
- "3) The need not only for knowledge but for experience in depth, comprising all that invites our understanding of what lies below the surface of events and of all meaning, including the meaning of life itself. This, pre-eminently, is the realm of the artist, the philosopher, the divine. Awe, suffering, love, ecstasy are the elements of this experience.
- "4) Practical needs in our day-to-day living. There exists a storehouse of knowledge and experience here which, if made the property of all, would transform the happiness and health of millions."

He says if we exclude any of these four points we risk intellectual and emotional pellagra.

On top of these points we have the urgency of defining our nation. Perhaps more urgently we want to safeguard in this country our sense of relation to history and surroundings and simply not be swallowed up in a world of commercial urbanization which is so often exploitation passing under the guise of progress.

Before radio and television, before the photograph and motion picture, most of the concepts of individuals were shaped by visual and aural perception and touch directly from the environment, from that which the eye itself saw and the ear itself heard and the body itself touched. Handwriting and manuscripts, paintings and drawings, architecture and music enlarged the experience and development of some of the early human societies. But for the most part until the printing press, the sense of sight and the sense of sound related men directly to their environment. There were, of course, some great manifestations of the human intellect and spirit, the richly imaginative and acute paintings in the Lascaux caves; the gold work of Ur and Sumeria; the sculpture of Attica. These were human additions to the natural environment. But for the most part, the communication between individual and individual was by voice and gesture, between societies by message and signal, and there were no intermediaries of human, or artificial, creation. The environment which men perceived was the natural environment.

The individual in any early civilization of the classical period or of the European Middle Ages, received his view of the world directly, without intermediaries, he heard the voices of other humans, he saw events with his own eyes, he touched utensils, clothes and other material with his own hands. A citizen of Chartres in 12th Century France derived his concept of time and space, of life and afterlife, of the forces of nature, from his immediate family and fellows, his neighbors, his brothers-in-arms, his priest, his royal master; from the pattern and color of stained glass in the cathedral; from the stories that sculpture represented; and from the majesty of cathedrals where he heard of, and imagined and felt the presence of his God.

By what means do we perceive our environment today? Our eyes and our ears and our other senses are still the final channels to the brain and the central nervous system. We retain that autonomy. Yet interposed between this parchment of the intellect where experience is registered, knowledge stored, and reasoned and emotional responses sharpened or restrained, are



a host of arbiters, mediaries, facades and filters through which reality must pass before reaching us.

When we ask the question "what is the environment of today and what creates it?"; two answers emerge. First, the main part of the total environment of, say a youth of today, is not the environment itself but a reproduction of it; that is, this large part of the sights and sounds of today's young man or woman is the mediary and filter, not the actual environment; a reproduction of the actual. What we saw of Apollo XII and the brave men on the moon was not the moon or the men but, of course, the electronic reproduction of that scientific and administrative and, above all, triumphant communications achievement.

This great event sums up the means by which, and the miracles by which, we observe events and share experiences in an enormously enlarged, remote, yet immediately sensible environment. One or two cameras, one or two men, the leading edge and penetrating point of a vast organization of highly skilled technicians and highly skilled machines, transferred to our eyes and ears, instantaneously and simultaneously, and to tens and tens of millions of other eyes and ears of fellow human beings in every corner of the globe, the environment of the moon 250,000 miles away.

These conclusions are repeated and emphasized:

1. Contemporary man perceives his expanding environment not directly by his senses alone but by those senses reinforced, extended by technology. The sense of sight and sound are, of course, fundamental but of parallel significance is the technology that extends them.
2. The expanded environment is a reproduction or mediated transfer of the actual environment, often simultaneously with an event within the environment.
3. Technology does not limit, over spaces so far reached, the space which can be reproduced to the senses of sight and sound.
4. Similarly, technology potentially could transfer or reproduce for the eyes and ears of any number of people any scale of actual event or any range of environment in the world or the universe so far known.
5. The techniques are used by a limited number of people supported, however, by a large and complex organization.

In sum, there is seemingly no limit to the environment or the events within it, which can be conveyed to man's perception; there is no limit technically to the number of men so perceiving the enlarged environment; but the selection and transmission of the environment rests within the power and control of very few individuals.

All this is familiar. I am not a philosopher nor a communications engineer, but a layman. All of these aspects are almost of today's creation and they are but the earliest beginning of the electronic and space age.

Is this relevant to the subject: the obligation of the broadcast licensee? With this question, we return to ordinary radio and television. Within the universe, the statistical universe within the range of a television station, these five observations are entirely relevant and entirely descriptive of the universe of any station; there may be simultaneity and instantaneity; there is the real environment, and the reproduced or mediated environment; there is universal diffusion and there is centralization of diffusion, centralization at a single point.

All this is obvious, though miraculous; all this is significant, though who would be bold enough to measure what that significance will be? Huge audiences see battles as they are fought or riots as they erupt and men dying as they fall. We accompany with our eyes and ears brave men as they fly through space and walk upon the moon.

Before printing, before art, the environment with which the minds of men coped and to which individual man adjusted was, for the most part, the real and immediate and actual environment in which he lived, loved, dressed, worked and died. Men, even in western societies, live in an environment which in part is still immediate and real but additional to this real material world there is this new environment, this environment of communication by sound and sight. A generation or two ago, to illustrate the comment, our children's environment was that of the home, the school, the church and the playground or the corner lot, the back garden or the streets. These, plus books and the film, created the environment in which they were formed.

Today, the average child spends more of his time watching television than he does in classes at school or in games out of doors. The largest, if not the most penetrating — we do not really know what television is doing to our children — environment in which the child lives is that which the broadcaster and the advertiser offer to him. The world to which the child adapts, the world in which his emotions and his brain are so largely shaped, is the world which television selects and brings to him.

I repeat for emphasis that modern communication has substituted for the immediate and real environment, present and perceived by the senses, another environment reproduced from reality. This environment is made available simultaneously to greater and greater numbers of individuals over greater and greater areas by fewer and fewer selectors of the programs shown. For children in particular, but for all people in general, observing this interposed environment is almost their central day-to-day mental experience and one of the most persistent and insistent stimuli to their emotions.

The license to broadcast is then almost the heaviest obligation that society can allow individuals to bear.

Certainly in the long annals of human communication, from the yelp of the first man-like primate, the signal of the tribal campfire, the fluttering flags of war bands and royal armies, the flash of sunlight from a mirror and

so on through the printing machines, the book, the newspaper, the telegraph and the telephone, never has so much power over men's minds been conferred upon those very few who, under present techniques and existing economic challenges, must by their programs occupy leisure and command the attention of the many, the increasing multitudes round the world constituting the vast audiences of those licensed to broadcast.

When the extent of the power of broadcasting weighs upon one, what other feeling is possible but humility and awe? Never in human history have so many been subjected to the concepts distributed so far by so few.

And let me add, when I come face to face with broadcasters, it is impossible not to recall what the Duke of Wellington said after he had interviewed some new reinforcements in the Peninsular War to liberate Spain from Napoleon's invasion, "I know not what effect these men will have upon the enemy, but, by God, Sir, they frighten me!"

Undoubtedly, however, television is the most pervasive and revolutionary agency of communication now at work upon the public mind. There is, of course, the debate between those who see television as the agency, for example, in politics, which changes public opinion during election campaigns and those who say that it does not really change public opinion but rather deepens the convictions people already have held. This issue will be long debated but surely no one doubts that television now shapes the structure of election campaigns, is central to them and profoundly involves the whole community; nor, surely, can there be any denial that television has vastly changed the concept of the world which the children and youth of today have received.

However incomplete is our knowledge of the results of television, "the presumption must be that television is and will be a main factor in influencing the values and moral standards of our society." By its nature, broadcasting must be in a constant and sensitive relationship with the moral condition of society: "this gives broadcasters a responsibility they cannot evade." So concluded the Pilkington Committee on British Broadcasting in 1960.

Within the word "moral" and added to it, I would read also the word or meaning of "intellectual." These researches which tell us that television does not change minds.

We broadcasters and all concerned with broadcasting as a whole, and television in particular, compete not only with the family and the school but influence the moral habits and arts of thought, the standards, the values and much of the behavior of our citizenry and indeed of the whole of western society. This influence, even with our present techniques, is immeasurable. The greater the power, the greater the responsibility.

It follows from this plenitude of power that there are, in consequence of its very plenitude, obligations of parallel significance. An obligation is more than the observation of a law or regulation. It is the fulfillment of a purpose.

What, indeed, we may well ask, is the purpose of broadcasting in North America? Who dares give the full, rugged answer?

Any statutes governing broadcasting which I can quickly recall do not define the obligations of a broadcaster or the purpose of broadcasting, at least in terms which give substance and clarity to the real function of broadcasting, the production and transmission of programs. The American statute does not go beyond the term, "public interest, convenience and necessity." The Act governing the British Broadcasting Corporation, financed by the listeners and viewers without advertising or any revenue from the taxpayer, provides for the distribution of "information, education and entertainment" and, referring to programs, requires that they:

"(a) maintain a proper balance in their subject matter;

"(b) achieve a high standard of quality."

Wisely, these admirable, even pious, aspirations are not defined: every broadcaster knows only too well that words like "balance" and "quality" cannot be given a rigid and definite content. Good broadcasting is a practice, not a prescription; an art, not an equation.

In the commercial sector of British broadcasting, the stations as well as those of the BBC, are also wholly owned by the state, but programming is provided not by a public authority but by commercial program contractors deriving their revenue from advertising. The governing statute provides somewhat similar obligations in similar terms. The present Canadian statute of 1968 adds to comparable obligations of broadcasters the provision that Canadian broadcasting should promote national unity. The Act also sets up a regulatory body, the Canadian Radio-Television Commission, to which both the publicly-owned Canadian Broadcasting Corporation and the more numerous privately-owned stations are responsible and subject to control. This Commission, in addition to licensing new stations, has a regulatory power over programming, advertising and other uses of the channel or wavelength which the licensee for periods up to five years may use. In all these statutes, specifically or by implication, broadcasters, of course, have the obligation to obey the laws respecting libel, obscenity, etc., as must any publisher or any private citizen orating on the street corner.

The obligations of the broadcaster in programming are not then easily explicable in statutory terms. It will also be observed that the statutes do not themselves through regulations limit profits or, on the other hand, require the broadcasters to operate profitably. That is left to the broadcaster's wisdom and, where there are market considerations, as distinct from license fees or statutory grants as sources of revenue, to the forces of the market.

Let me turn, however, to obligations or purposes of broadcasting no less undefinable and no less necessary in this age of television.

That phrase comes easily to the lips. This is, indeed, an age of television. But there are many other descriptions: the age of space, the age of

envy, the age of anxiety, the age of affluence, the age of doubt, the age of permissiveness and even the age of dissolution. These are tempting descriptions but I am more than satisfied to wrestle with the age of television.

If words used in the statutes — convenience, necessity, quality, balance, entertainment, education and even national unity — are not readily and precisely definable in the programming which is the function of broadcasting, how much more difficult it is to suggest, let alone define, those other terms which are not less relevant to what the broadcaster should sometimes, but does not always, consider: words like freedom and responsibility; words like faith, scepticism, speculation, criticism, conformity, variety, rights of majorities and rights of minorities, and so on. All of these obviously are either the obligations of a broadcaster or may be involved in the content, the purposes or the result of his programming.

May I suggest for consideration the following headings:

1. In programming, giving the people what they want is unnecessary, restrictive and arrogant.
2. In purposes, criticism, scepticism and speculation about society and about thought of every category are these less dangerous than conformity, faith and obscurantism.
3. Majorities are made up of minorities and some of the most astonishing minorities become the most enduring majorities.
4. In broadcasting, responsibility is freedom.
5. Imitation is the first refuge of a cowardly producer.

These headings do not imply that I deny what our governments require and lay down. Broadcasting is a public service and the use of wavelengths is a privilege conferred on relatively few for the pleasure, entertainment and information of the many. Broadcasting is, or may be, an economic instrument and in North America advertising provides its predominant means of finance. It is not for me to quarrel with these facts of life but I do hold to the conviction that first in the list of priorities must be placed the rights of the audience and even more so, the plural-audiences. It is the listeners and the viewers for whom the service is provided and it is they who pay for it. Their investment in receiving sets and the costs of operating them exceed also the investment in and costs of operating stations and networks.

I dwell upon the power of human intelligence and of broadcasting. In all nature, there is no instrument to equal in ingenuity and skill that convoluted bundle of jelly, flesh, fluid, and muscle; of synapses, dendrites, axons and lobes called the brain. Broadcasting is the greatest instrument the brains of men have created for brains to communicate with brains and to educate, to inform and to entertain the masses of men around the world.

Yet, who among us can stand up, and with his hand on his heart, swear that this vast power of human communication has been rightly used

over the fifty years of radio and the fifteen or twenty years of television to serve the best purposes or the widest needs of the individual and society? This is an American audience and you may say what you will of the standards achieved in your broadcasting purposes and programming. For myself, and for Canadian programming, what else can I say than that we have in large measure failed, less in radio than in television, to seize the massive opportunity presented to us, have wasted our resources, failed sufficiently to exclude hostile and interfering influences, have abused the trust conferred upon broadcasters and, too often, treated our audiences with arrogance, and even with scorn, rarely achieving the heights and seldom rising above the depths. Both our peoples have failed, failed ourselves. The great opportunity which the inventiveness and skill of human brains presented us has been missed; the infinite resources placed in our hands have been wasted.

This is not so much condemnation of what we have accomplished; rather it is a despairing declaration of hope that we will realize what we could have done and will yet decide to do it.

Of course, I know that some of the best programs in the world have been produced and enjoyed by millions and millions of us on this continent and enjoyed also around the world. Agreed. The technology is, of course, unexampled in its glory and imaginativeness. But these do not reverse the burden of my woe. The very skill in evolving the technology and in producing programming that attracts millions define the opportunity, I suggest, we have missed and wasted.

I believe that a broadcaster or a regulator who wishes to qualify to be worthy of the name "citizen," must join society. Society must associate our names with more than frivolity, the idle exercise of pursuit of power or a continuing insatiable desire for an increasing share of the economic pie.

By what criteria do we judge the quality of a country's broadcasting? To be good, or even adequate, there must first be a multiplicity of individual organizations serving the whole. There also must be the widest range and variety of programs offered to listeners and to viewers, and safeguards must be taken against the narrowing imitative process by which so much broadcasting is merely a frantic effort to secure numerically for one set of broadcasters a certain total of audience, ignoring, in effect, all others who remain untouched by the narrow spectrum of the program fare.

There must be the widest degree of freedom to tell and to show the truth.

Fundamental to it all, there must be an attempt to reveal society to itself.

Stuart Hood, advising the Israeli Government about setting up TV, said broadcasting, "on a primitive level is showing their citizens how they speak, behave, live, and on another, higher level, by revealing to them their mechanics of society, how it functions politically, economically, and culturally."

He was pleading for a sufficiently wide spectrum of programs to include those which honestly explore the nature of society. As he said, "No society can be explored unless its broadcasters are allowed time for a maximum of freedom . . . self-revelation is impossible. All over the world there are societies, ranging from great modern capitalistic or socialistic states to small developing ones, which have not achieved self-awareness in modern terms, or on a mass basis, because the dominant instrument of culture does not provide a mirror in which their citizens may see themselves truthfully."

When I was in public broadcasting, the regional TV producer co-operating with me on a national television series ran afoul of his regional authority on an editorial matter. He was removed from the public affairs program and relegated to what one columnist called, "the punishment of producing religious shows." This is in variance with a statement by Pope John that if St. Paul were around he would be a journalist. Moreover, he would, in all likelihood, gravitate to broadcasting—radio and television. Now ask yourself one question! Would the present code of television about pretty people tolerate St. Paul? As I remember the description of him, he was "bald-headed, bow-legged, strongly built, and a man small in size." He would certainly not be a casting director's idea of an electronic image, or would an advertising man decide that his "meeting eyebrows and rather large nose" could be compensated by the biographer's description that, "he was full of grace; at times looked like a man who had the face of an angel."

Would a St. Paul in broadcasting be able to ignore realities of the present situation? What would happen to him? He would be told time and again, it would be dented into his conscience that TV and radio are escape media, fun things, and that he would be a traitor to oppose the great North American industry which on the one hand suggests he is a moron, and on the other spends millions in promoting the theory that he has a fundamental democratic right to continue at a mental level of ten years.

But the lesson of public affairs programs which simulate controversy with generalities, and of so-called documentaries which are merely geographical spectacles and abstractions jammed into the 20-inch screen, is that they don't touch anyone. They don't communicate!

And what are the subjects for introduction on radio and television?

The concerned must be involved in all the areas of public affairs, seriously involved, with the affairs that affect the Brotherhood of Man. They must join forces with the "thinkers" of this generation, not along sectarian lines but on the broadcast ecumenical lines, cooperatively!

In some ways, the troubles which beset us are caused by a failure of realistic appraisal. In the world of communications, there are many abrasions. Many of the comfortable and comforting experiences of the past simply do not stand up.

Re-dedication is important if we are to impress those who seemingly are impressed more by the means of communication than by the content, who treasure hardware and merely tolerate software.

I continue to be concerned, in the face of what seems to be a dangerous neglect in our society, for what, in the words of R. V. Cassill, the novelist, is "the silent potential of popular longing against the Chatter of The Thing That Works."

I am not going to sound off with a diatribe about advertising, for it lends itself so easily to the definition of "The Thing That Works," but I would like to refresh your memory with a statement by Ed Murrow about the effect on American public opinion of what was to be seen and heard on American TV and radio back in October of 1958.

I quote:

"I am seized with an abiding fear regarding what these two instruments (radio and television) are doing to our society, our culture and our heritage. Our history is what we make it. And if there are any historians about fifty or one hundred years from now and there should be preserved kinescopes for one week of all three networks, they will find there recorded in black and white, or color, evidence of decadism, escapism, and insulation from the realities of the world in which we live. I invite your attention to the TV schedules of all networks between the hours of 8 p.m. and 11 p.m. Here you will find only fleeting and spasmodic references to the fact that this nation is in mortal danger. There are, it is true, occasional informative programs presented in that intellectual ghetto on Sunday afternoons. But during the daily peak viewing periods the media, in the main, insulates us from the realities of the world in which we live. If this state of affairs continues, we may alter an advertising slogan to read: 'Look now, pay later.' For, surely, we shall pay for using this most powerful instrument of communication to insulate the citizenry from the hard and demanding realities which must be faced if we are to survive."

It is 1969, ten years since the Murrow statement, and we must ask: Do our techniques match the changes in what we are told is the new "electronic, informational environment?" Are we married to outworn concepts and methods of broadcasting? Do we willingly accept setbacks, difficulties, misinterpret freedom for apathy and allow too easily our initiative to be discouraged? These are not comfortable questions, but when you work in an atmosphere where self-energizing is a requisite, it's very easy to withdraw and blame other factors for a general letdown of your own dedication and diligence.

When license seekers and those who hold licenses appear before the Canadian Radio-Television Commission, I, personally, feel that they must accept their responsibility to integrate those instruments granted under public franchise into the web of communications, which is society, for society is communications, and communications is society, and interaction and inter-relations are the only ways possible for men to live in dignity without the loneliness inherent in the stifling demands of a technological age. Man must demand in the world of multimedia, opportunities for a great diversity of things to see and to hear. We must strengthen this demand, making it part of the public interest; demanding also that it be more than simply a harvesting of financial rewards. Technological development, without a constant process of research, of integration of the means with the purpose, is a futility in the cause of mankind.

What society contains as a communicating function cannot be determined by political or commercial arbitrators operating under the myth of, "give the people what they want."



There is a terrible beauty in life and it is absorbed in reality. It is something which self-perpetuated bureaucrats, selfish interpreters of education and men who live within the grasp of commerce will try to suppress. This terrible beauty is what the younger generation, not always able to identify or articulate, pursues to the point of revolutionary annoyance.

Not alone have I the hazard of being a member of a regulatory body which is attempting to cope with forms of communication now proliferating in all directions, but society is also caught in the ramifications of technology. I notice the *Saturday Evening Post* put the power of decision regarding an amended circulation list into the hands of a computer. Not only did the computer drop Governor Winthrop Rockefeller as not being a candidate for the new swinging, affluent and sophisticated group but Ben Hibbs, the editor emeritus was chopped off.

Man's best friend, or enemy, may yet be the sophisticated machine.

It is an easy matter to speak in glowing terms of the future developments in radio and television. The electronic communications age! The new global society! Home entertainment centres with everything from facsimile newspapers to home computers. Satellite-to-home receivers! Of course, in this technological age, almost anything appears to be possible.

There is, however, a fundamental question, or series of questions.

Do we really agree on what is meant by communications? Man to man? The passing of knowledge, information, attitudes and ideas from one individual to another? Do we confuse in a technetronic age, the means of communication such as broadcasting, television, etcetera, with knowledge, ideas, attitude and so on — the man-to-man problem? In a computer age, do we understand hardware as opposed to software?

Raymond Williams, an English communications writer, pleads:

"We need to say what many of us know in experience: that the life of man, and the business of society, cannot be confined to these ends; that the struggle to learn, to describe, to understand, to educate, is a central and a necessary part of our humanity. This struggle is not begun, at second hand, reality has occurred. It is, in itself, a major way in which reality is continually formed and changed. What we call society is not only a network of political and economic arrangements, but also a process of learning and communication."

"Communication begins in the struggle to learn and to describe."

Accepting that communications is not an isolated fact but rather a term for society itself, the living, breathing present of interacting and inter-relating society, and that the scientific developments are mere hardware, we must assume that man in his existence is faced with the reality of operating this hardware in the cause of a better understanding. If he doesn't, he faces an aggravation of an enormous size. To use the hardware for propaganda purposes will merely hasten the millenium. To allow it to be a mere global system of commercial propaganda will also precipitate a confrontation, the face-to-face fact of a world-scale revolt on the part of the have-nots who, seeing the distorted, fanciful almost, world of materials and possessions, will not be content with any delay or evolutionary process of raising their standards of living.

Think of satellites capable of covering the globe, and don't say people will not have the means of getting them, they will, they do, as witness the American south where poor white and black alike became aware of the land of fantasy detergents and cigarettes that smoked like icebergs and mountain streams, and they wanted a part of it, and started off on their long trek that ended in the northern city ghettos.

Satellites mean the confrontation of haves and have-nots on a global scale. That a majority of the have-nots are of a different color than the haves is a bitter reminder of the failure of communications: that is, of our society, up to this point.

But at home what is taking place? North America is being linked by cable television systems. They come to urban areas to improve the reception of TV signals and usually FM signals. Operators in Canada add American channels where they can receive them off-air with sophisticated antennae. Now, areas beyond the reach of even this form of rigging ask that American stations be brought in by microwave or cable.

Meanwhile cable operators search for new services on their systems to fill space channels, and they begin usually with weather, time and shopping news, local sports events, some ask about documentary films, one enterprising fellow puts a color camera on a bowl of goldfish and plays background music and, in certain areas of America, at research projects, scientists and research workers link computers in their homes to central computer systems, and others use cable circuits to the classrooms for home study, and on and on. The home-information centres, the ways of linking every home in America are all present in embryonic stage in the proliferating cable systems.

What will we use these systems for?

To bring about a dialogue with our children?

I am not one of those who deplore youth. In fact I am convinced they are nearer solutions to many of today's problems than we imagine. There is something ludicrous about middle-aged people speaking from their vested interests, lamenting the faults and woes of a generation which they allowed to grow up over the past number of years under the care of electronic babysitters, namely, TV.

Can we communicate and ignore Vietnam? There is no comfort in the statement that it is a controlled war and that China is not able to engage in a major war. Wars come because the factors get out of hand. Euripides said:

"And the end men look for cometh not,  
And a path there is where no man thought,  
So hath it fallen here."

I humbly suggest that all practitioners in the communications field must come to terms with the media, impressing the broadcasting media authority

in the first place with a determination to *communicate*, to take the passing of knowledge and ideas and attitudes out of quotation marks, to be concerned about all human values, to make communication equal communion.

I agree that television has neither the time nor the resources to begin to cater to the huge variety of human interests. But surely it is possible to serve a wider range of interest, to appeal to a wider series of response than those of the primitive in us. I know I am getting close to dangerous ground here, but look at the schedules of North American television and come to your own conclusions. The measure of freedom is not the total number of similar programs available but the total variety of types and categories of programs available. This carries with it no implication that the broadcaster should try to give the public what he thinks is good for the public. This is just as much a slogan as that which says, "let us give the people what they want." Both make the incomplete, if not inaccurate assumption, that the broadcasters know what is good for the public and the public knows what it wants. And both are arrogant assumptions.

I am not sure which of these is the more arrogant; probably it is the assumption that the broadcaster normally knows what the public wants. There is not one public; but many, not one audience, but many, and merely appealing to some concept of an average is an excluding process, depriving, possibly increasingly depriving, others of what they would like to see. The only sense in which the broadcaster should dare to believe he can give the public what it wants is by offering the widest possible range of program matter and to let the public choose.

At the moment, the limitation upon the number of channels in any one area and the single or predominant source of revenue from advertising, of course, technically and economically propel broadcasters toward average and mass audiences. Cable television and possibly other means of distribution may, however, create new and competing sources of revenue as well as enlarge the number of channels, in the case of lasers vastly enlarging that number. These then may permit and evoke wider types of programming, less imitation and conformity, more experiment and originality, and smaller audiences for each station.

"Human beings have the capacity to combine the deepest scepticism with the profoundest faith." The words are those of T. S. Eliot — perhaps the greatest American poet which England produced. This is a twofold need of the individual and the society if progress is to continue, human speculation and imagination to expand beyond the outmost bounds of human thought, and adaptiveness, range, freedom to be achieved, sustained, enhanced.

Let not these abstract terms obscure the reality that speculativeness, criticism, open-mindedness for the few especially, and for the many if they will, form the qualities which created western science and western society. Innovation, not rigidity, is the key to the successive scientific and technological revolutions of the 2,000 years since the ancient Greeks first revealed the creativeness that freedom evoked from the human mind and soul.

It is then a paramount obligation of the broadcast licensee to give the widest range of subjects to his audiences and to have them interpreted by the best exponents of each subject, whether the form of interpretation be a situation comedy, gun-cracking western, professorial lecture on philosophy or history, or an electronic engineer demonstrating the latest in the means of communication. The aim is to break down the rigid and restrictive mold enclosing human minds. The aim is not to convert to any one dogma or doctrine so much as to present for examination the variety, scope and contrast of ideas; to avoid a mere battle of wits but to have controversy and dialogue, letting the debate decide or not decide as the audience wills.

These, alas, may sound, in the harsh commercial necessities of the contemporary world, like noble pieties or vain counsels of perfection. I emphasize them, however, neither because they are pious nor perfect but because they are practical. The most impractical principle would be that which congeals thinking and stops technical, and with the technical, social change. The most practical, if in the short run it carries some pains and penalties, is the greatest openness, the least propaganda and the most dialogue, the freest speculation about the present and possible future workings of machines, minds and societies. With these, the corollaries necessarily are the sternest avoidance of the rigid, the inflexible, the arrested and the immobile. These are the means of apathy and grey conformity. Alertness, that is, change of all kinds, is the special obligation of the broadcasters as those key individuals who have within their control, whatever the regulations and guidelines laid down by the state, the responsibility as well as the freedom, to nourish through public opinion and the instantaneous community experience of broadcasting, the intelligent adjustment to new forces and to new concepts.

In your consideration of how to communicate, you must also consider the means of communication, the media. Do communications media — the forms and facilities for the process of sharing, learning, describing, understanding, educating as a necessary part of human experience — operate for the general benefit of mankind?

Recognizing communications as a part of society, we must ask how it relates to political control and commercial control!

In the western world, because of the limited availability of channels or frequencies, broadcasting has to exist with a measure of freedom and a measure of control. It is often an uneasy relationship. How much control? How much freedom?

How do public bodies remain alert and sensitive to public response and needs?

Is it feasible to insist that commercial institutions suborn their principal commercial purpose for social and community responsibilities?

What is the role of the chain ownership of media, a development which has largely come about because of the technical complexity which has placed media beyond the reach of individuals in terms of ownership?

Do large groups sin by omission, simply because of impersonal management and distance from community responsibility? Is the matter of individual concern as opposed to supposed corporate indifference largely a myth?

Finally, any group concerned about the role of communications must consider the future!

Who is going to seize the initiative in the expanding forms of communication, such as UHF — FACSIMILE — CABLE — SATELLITE — to ensure that the struggle of man to learn, to describe, to understand, to educate himself and to live in harmony and dignity without the loneliness of misunderstanding, will be a guaranteed freedom of a communicating society without authoritarian, paternal or commercial prejudice?

Is the present system adequate for the future? I go back again to Raymond Williams who says, "Any orthodox system maintains itself by limiting the terms of available choice, by confusing the language in which what it is really doing can be described, and, under pressure, by raising devils we don't know to enhance the devils we have."

Man's community responsibility is now global. To assist him in this responsibility, technology is making possible an expanding spectrum of communications instruments, ranging from home-cable systems to global satellites. Man's only means of survival is the free exchange of humanitarian and educational ideas. It is, therefore, imperative that a fifth freedom, freedom of information be established specifically to include an educational exchange on the universal pathology of prejudice. This newly defined freedom can only exist if the new forms of communication are protected from undue commercial paternalistic or authoritarian influences.

### POSTSCRIPT\*

CHAIRMAN: Canada is a nation of 21 million. The 21 million reside largely just on the other side of the border. For Canada, as a matter of national policy, there is a desire, a felt need to establish a meaningful cultural presence in terms of Canadian television.

How can this be done?

Mr. Boyle, for example, in a recent decision, ruled that there had to be a limit to the amount of cable feet of US programs into Canada. Mr. Boyle makes the point that Canada has only a limited time to establish a cultural presence in terms of Canadian television. And this must be done in part by restraining the three major US networks in terms of further penetration into Canada.

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\*This postscript contains relevant excerpts from the transcript of the Trade Regulation Roundtable, 1969, and contains comments and discussion relevant to and arising out of the issues dealt with by Mr. Boyle. It should be noted that the Postscript is a verbatim account of the conference.

I would like now to turn to Mr. Boyle for a brief comment in terms of the central issue developed in his paper.

Harry.

MR. HARRY BOYLE: Thank you, Professor Baum.

Well, where do I start? It is very difficult in America sometimes to explain the particular situation in Canada: A tremendous expanse of land, 21 million people piled up something like iron filings along the border.

Professor Baum says that we have moved to the extent of limiting American programming. It is not in terms of trying to erect an impossible electronic Berlin wall. It is rather to carry out a mandate which this body, the Canadian Radio-Television Commission, has been given — and that is to strengthen the fabric of Canada itself.

In the fabric of our country, it is a very hard thing to have an individual identity, because of the tremendous presence of the United States. I think it was President Diaz who said in Mexico, "So near the United States and so far from God!" (*Laughter.*)

And while that may appear to be facetious, there is a certain amount of truth in it. It is not true completely from a theological standpoint, but rather from that fantastic bulk and mass that is there. What you know, what you don't need is more than Hades in many ways.

When the first concept of Canada as a unit in being came into the minds of the people of Canada, it was the idea that it must communicate east-west if it was to survive. They built a railroad which is nothing more than a communication from coast to coast.

And every time, in itself, that it feels — and I hate to use the word "threatened," but it is; it is threatened in the sense of what you are trying to determine within your own boundaries — there has had to be some kind of a method, almost artificial, to maintain an east-west flow.

The simple business that I want to cover with great detail is that we are the most highly developed cable television country in the world. We have the most cable, more than the United States, and that cable exists primarily along the border — so cable was normal; it was an accessory to it.

But it brought in a tremendous flood of American TV.

Now 42 per cent of our people still can see only the two domestic networks—one publicly owned, the Canadian Broadcasting Corporation, and one privately owned, the Canadian Television, CTV Network. And these people who happen to live outside that area which can naturally be served by a cable, such as people in Edmonton, or a very long way from here, feel, "Why should their brother who lives on the border be able to get all of the benefits of all of those various television programs, when I can't?"

The problem, of course, is that we, ourselves in managing a *laissez-faire* in terms of communication and television itself, have allowed our public network and our private network to carry far too high a proportion of American programs. And it is easy. It is easy to carry them, so we allow for it.

But it has upset the balance in terms of the networks. And if we were to allow the cable systems to put a halo on the border and run right straight up to any one of the provinces and distribute it, those advertisers, in a very short period of time, who are now being introduced east and west on the new networks, would say, "Well, why should I buy Canadian networks? This is an American cable system. I can in effect get it for nothing by distribution from the border cable which will pick up Grand Forks or Chicago and take it right through?" So it will take us underneath on that basis.

We have instituted a rule saying that you cannot extend cable by means of microwave. This is temporary; it can only be temporary — taking any of us to the point where you suddenly shut off as if the United States didn't exist; it is pretty hard to ignore; it is there.

But we must, in terms of control, establish and give our own people an opportunity to produce within this temporarily protected ban, the time to come up with some of the answers that we need, because we believe very sincerely that there is a form of program which can compete successfully — and by "competition" I don't mean altogether competition in terms of the top-rated forty programs, but there are enough people in our country who want the programs — and indeed want to see programs from other countries besides the United States.

THE CHAIRMAN: Charles, I would like to ask you to comment on what Mr. Boyle has said, sitting as an executive of CTV, as a broadcaster, and a newspaperman. What do you have to say?

MR. CHARLES TEMPLETON: I would like . . . to say that Canada's problem does indeed stand unique. You can't live next to such a neighbor as the United States with the willingness of a network to take the easy route and merely pick up American programming — and it is an easy route because the advertiser will buy it because the public is there, and as a consequence this is what has been done more often than it ought to have been done.

And yet you face at the same time the realization that we are not just a nation; we are part of a continent, and that what is happening in the United States profoundly affects us in Canada. When you sneeze, we say "Gesundheit!" And as a consequence, what you do down here, and what is happening down here [United States] affects us more than we like to believe, and affects our children more than we have begun to understand.

As a consequence, the dilemma is unique. I don't know whether buying time is going to serve any purpose, because I don't see the desire in the two Canadian networks yet to achieve the ends which the CRTC has been seeking.

THE CHAIRMAN: How would you describe . . . the ends that the CRTC is attempting to seek?

MR. TEMPLETON: First, programming on television which, by its diversity, not only provides what television must provide in the way of escape entertainment and information, but at the same time in Canada a problem which goes way beyond that—the problem of maintaining a national identity.

And a national identity for us—because our reading matter, our arts, virtually everything which feeds the mind, tends to be dominated by an American influx of ideas, and the maintenance of any sense of national entity is an exceedingly difficult thing in our country.

MR. BOYLE: Well, in answer to your last question, I think we should refer one to the Act of 1968, which says in effect that:

“The Canadian broadcasting system should be effectively owned and controlled by Canadians so as to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada.”

And that is the mandate.

COMMISSIONER JOHNSON: I think that it is probably useful from time to time throughout our session here this morning to state once again what it is we think it is that we are doing here, and all of us have a little different view of that, I am sure.

But as Dan began at the outset, we have been testing over the last few months, so this is—Dan explained something, that it was not just thrown together last night; we have met now on two or three occasions and prepared papers. We are testing the proposition that there are subject matter areas that we ought to be addressing in trade regulation courses that perhaps we are not looking at.

There are consequences that flow from trade regulation policies that sometimes we are unaware of, and sometimes these are desirable and sometimes they are undesirable, depending upon your point of view—and that we ought to be more aware of these than we are, that we ought to teach about this in our classes. There may very well be special seminars set up in some of these areas; in terms of policy development we ought to address some of these implications frontally, rather than indirectly.

We happen this morning to be talking about communications. We could, however, have been talking about employment policy, or environmental pollution, or any one of a number of other consequences of the flow of industry structure and trade practices.

We picked communications because we are interested in communications, and we think that the subject matter that we are dealing with is worthwhile in its own right. That is to say, those examples are important subjects by themselves, but they are also illustrations of important principles. I think that what Mr. Boyle has said particularly illustrates this point.



He is talking in general about the implications of the cable television for Canada, and the implication that he is talking about is the maintenance of the Canadian national character. That is a terribly important problem for the people in Canada. It affects many things besides communications, but it is seen most expressly in communications.

This is not the kind of subject that a lawyer or an economist would generally address in thinking about antitrust policy and trade regulation, and yet here it is a very important issue to this country.

I would like to suggest that it is simply illustrative, however, that there are other analogous problems that involve implications from cable television that also could be addressed by you or by us, if either of us had the time.

The problem that Canada is confronting, with the influence of American television, is felt by virtually every country in the world. Those who program the American network out of downtown Manhattan are, for all practical purposes, programming not only Canada, but virtually every other nation in the world as well. We are, by all odds, the largest exporter of television products around the world. Some countries have met this by simply banning the importation anywhere of television programming.

All are struggling with it. And it comes about partly, at least, because of the depressed prices at which residual series of reruns are available.

Secondly, another example of the implications of cable television policy is that an analogous — a concern which is analogous to that which Mr. Boyle has expressed — is equally applied in our own cable television policy in the United States.

Canada is concerned about the growth of cable television because if it grows, it means that more American product will come in, and if that happens, that tends to disintegrate further the Canadian national character.

The FCC majority has been concerned about cable television because if cable television is wide open and is able to bring in signals from not only Denver, but also Los Angeles and Chicago, he presumes, and the FCC majority presumes, this will have a desultory impact upon the development of that marvelous local television product which Wyoming is so famous for. Well — and so this is a concern that underlies our cable television policy, as well as Canada's.

*Mr. Boyle concluded his comments later in the discussion.*

MR. BOYLE: You know, . . . I am not a professional public servant; I have only been there for a year and a half — in private radio, public radio, broadcasting, in terms of what we are talking about. And I am appalled, consistently appalled, by the fear inherent in a group of people when it comes to anything for what is called "human life."

You know, what is sacred? Is it a communication from man to man, or is it all of this Goddamned hardware? It gets to a point — sorry! (*Laughter.*)

One of the experiences which shattered me was a rule passed, a permanent record, in regard to the ownership of communications media in Canada, that it could only be owned twenty per cent outside the country, and a fantastic organization — cable, radio cable, television stations, worked for six or seven months to find ways and means of, well partially evading the rules, but in effect to consolidate this whole thing, and it was a masterpiece.

Never in my life have I seen so many of your profession so well employed! (*Laughter.*)

They brought before us some briefs — unbelievable; it fulfilled everything technically; it fulfilled not only technicalities or legalities, but technicalities in terms of the functioning of this organization, but it never once mentioned its purpose; it never once mentioned programming; it never once mentioned communications, except in the abstraction of ownership.

And I was moved at the end of the hearing to say to the distinguished counsel, "I admire you. I admire your proficiency, the perfection of this whole operation. But I would like to ask you one question — only one question: In the final analysis, what will this new organization do for humanity?"

And I really think that is the question we have to ask.



## COMMENTS

